

**HIGHER EDUCATION CREDIT AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

---

**LONG TITLE****General Description:**

This bill enacts and amends provisions related to credit in higher education.

**Highlighted Provisions:**

This bill:

- defines terms;
- amends provisions related to the State Board of Regents' duties regarding articulation, transfers, and course identification;
- enacts provisions requiring the State Board of Regents to:
  - develop a systemwide plan for advising and communicating about student credit for prior learning; and
  - establish policies related to student credit for prior learning;
- enacts other provisions related to prior learning;
- amends other provisions related to student credit; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:****AMENDS:**

**53B-16-105**, as last amended by Laws of Utah 2018, Chapter 435

**53B-16-107**, as last amended by Laws of Utah 2018, Chapter 39

**ENACTS:**

**53B-16-110**, Utah Code Annotated 1953

---

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53B-16-105** is amended to read:

**53B-16-105. Common course numbering -- Transferability of credits --****Agreement with competency-based general education provider -- Policies.**

(1) As used in this section:

(a) "Articulation agreement" means an agreement between the board and a provider that allows a student to transfer credit awarded by the provider for a general education course to any institution of higher education.

(b) "Competency-based" means a system where a student advances to higher levels of learning when the student demonstrates competency of concepts and skills regardless of time, place, or pace.

(c) "Competency-based general education provider" or "provider" means a private institution that:

(i) offers a postsecondary competency-based general education course online or in person;

(ii) awards academic credit; and

(iii) does not award degrees, including associates degrees or baccalaureate degrees.

(d) "Credit for prior learning" means the same as that term is defined in Section 53B-16-110.

~~[(d)]~~ (e) "Institution of higher education" means an institution within the Utah System of Higher Education.

~~[(e)]~~ (f) "Regionally accredited institution" means an institution that:

(i) offers a competency-based postsecondary general education course online or in person; and

(ii) is accredited by a regional accrediting body recognized by the United States Department of Education.

~~[(f)]~~ (g) "Utah System of Higher Education" means the institutions described in Subsection 53B-1-102(1)(a).

(2) The board shall:

(a) facilitate articulation and the seamless transfer of courses, programs, and credit for prior learning within the Utah System of Higher Education;

(b) provide for the efficient and effective progression and transfer of students within the Utah System of Higher Education;

(c) avoid the unnecessary duplication of courses; ~~[and]~~

(d) communicate ways in which a student may earn credit for prior learning; and

~~[(d)]~~ (e) allow a student to proceed toward the student's educational objectives as rapidly as the student's circumstances permit.

(3) The board shall develop, coordinate, and maintain a transfer and articulation system within the Utah System of Higher Education that:

(a) maintains a course numbering system that assigns common numbers to specified courses of similar level with similar curricular content, rigor, and standards;

(b) allows a student to ~~[transfer]~~ track courses that transfer among institutions of higher education to meet requirements for general education and lower division courses that transfer to baccalaureate majors;

(c) allows a student to transfer courses from a provider with which the board has an articulation agreement to any institution of higher education;

(d) allows a student to transfer competency-based general education courses from a regionally accredited institution to an institution of higher education;

(e) improves program planning;

(f) increases communication and coordination between institutions of higher education;

~~[and]~~

(g) facilitates student acceleration and the transfer of students and credits between institutions of higher education~~[-];~~ and

(h) if the system includes a software or data tool:

(i) provides predictive analysis that models probabilities of student success; and

(ii) develops tailored strategies to best support students.

(4) (a) The board shall identify general education courses in the humanities, social sciences, arts, physical sciences, and life sciences with uniform prefixes and common course numbers.

(b) An institution of higher education shall annually identify institution courses that satisfy requirements of courses described in Subsection (4)(a).

~~[(b)]~~ (c) An institution of higher education shall accept a course described in Subsection (3)(c), (3)(d), or (4)(a) toward filling specific area requirements for general education or lower division courses that transfer to baccalaureate majors.

(5) (a) The board shall identify common prerequisite courses and course substitutions for degree programs across institutions of higher education.

(b) The commissioner shall appoint committees of faculty members from the institutions of higher education to recommend appropriate courses of similar content and numbering that will satisfy requirements for lower division courses that transfer to baccalaureate majors.

(c) An institution of higher education shall annually identify institution courses that satisfy requirements of courses described in Subsection (5)(a).

~~[(c)] (d)~~ An institution of higher education shall accept a course described in Subsection (3)(c), (3)(d), or (5)(a) toward filling graduation requirements.

~~[(6) The board shall identify minimum scores and maximum credit for each:]~~

~~[(a) College Level Examination Program (CLEP) general examination;]~~

~~[(b) College Level Examination Program (CLEP) subject examination;]~~

~~[(c) College Board advanced placement examination; and]~~

~~[(d) other examination for credit.]~~

~~[(7) (a) An institution of higher education shall award credit to a student who demonstrates competency by passing a challenge examination.]~~

~~[(b) An institution of higher education shall award credit for a course for which competency has been demonstrated by successfully passing a challenge examination described in Subsection (6)(a) unless the award of credit duplicates credit already awarded.]~~

~~[(8)] (6)~~ (a) (i) The board shall seek proposals from providers to enter into articulation agreements.

(ii) A proposal described in Subsection ~~[(8)] (6)~~(a)(i) shall include the general education courses that the provider intends to include in an articulation agreement.

(b) The board shall:

(i) evaluate each general education course included in a proposal described in Subsection ~~[(8)] (6)~~(a) to determine whether the course is equally rigorous and includes the same subject matter as the equivalent course offered by any institution of higher education; and

(ii) if the board determines that a course included in a provider's proposal is equally rigorous and includes the same subject matter as the equivalent course offered by any institution of higher education, enter into an articulation agreement with the provider.

126           ~~[(9)]~~ (7) The board shall establish policies to administer the policies and requirements  
127 described in this section.

128           ~~[(10)]~~ (8) The board shall include information demonstrating that institutions of higher  
129 education are complying with the provisions of this section and the policies established in  
130 accordance with Subsection ~~[(9)]~~ (7) in the annual report described in Section 53B-1-107.

131           Section 2. Section **53B-16-107** is amended to read:

132           **53B-16-107. Credit for military service and training -- Notification --**  
133 **Transferability -- Reporting.**

134           (1) As used in this section, "credit" includes proof of equivalent noncredit course  
135 completion awarded by a technical college.

136           (2) An institution of higher education listed in Section 53B-2-101 shall provide written  
137 notification to each student applying for admission that the student is required to meet with a  
138 college counselor in order to receive credit for military service and training as recommended by  
139 a postsecondary accreditation agency or association designated by the board or the Utah System  
140 of Technical Colleges Board of Trustees if:

141           (a) credit for military service and training is requested by the student; and

142           (b) the student has met with an advisor at an institution of higher education listed in  
143 Section 53B-2-101 at which the student intends to enroll to discuss applicability of credit to  
144 program requirements, possible financial aid implications, and other factors that may impact  
145 attainment of the student's educational goals.

146           (3) Upon transfer within the state system of higher education, a student may present a  
147 transcript to the receiving institution of higher education for evaluation and to determine the  
148 applicability of credit to the student's program of study, and the receiving institution of higher  
149 education shall evaluate the credit to be transferred ~~[pursuant to]~~ in accordance with Subsection  
150 (2) and the policies described in Section 53B-16-110.

151           (4) The board and the Utah System of Technical Colleges Board of Trustees shall  
152 annually report the number of credits awarded under this section by each institution of higher  
153 education to the Department of Veterans and Military Affairs.

154           Section 3. Section **53B-16-110** is enacted to read:

155           **53B-16-110. Credit for prior learning -- Board plan and policies -- Reporting.**

156           (1) As used in this section:

157 (a) "Credit for prior learning" means credit awarded by an institution to a student who  
158 demonstrates, through a prior learning assessment, that the student's prior learning meets  
159 college-level competencies.

160 (b) "Institution" means an institution of higher education that is within the Utah System  
161 of Higher Education.

162 (c) "Prior learning" means knowledge, skills, or competencies acquired through formal  
163 or informal education outside the traditional postsecondary academic environment.

164 (d) "Prior learning assessment" means a method of evaluating or assessing an  
165 individual's prior learning.

166 (e) "Utah System of Higher Education" means the institutions described in Subsection  
167 53B-1-102(1)(a).

168 (2) On or before November 1, 2019, the board shall develop a systemwide plan for  
169 advising and communicating with students and the public about credit for prior learning in the  
170 Utah System of Higher Education.

171 (3) (a) On or before November 1, 2019, the board shall establish policies that provide  
172 minimum standards for all institutions regarding:

173 (i) accepted forms of prior learning assessments;

174 (ii) awarding credit for prior learning;

175 (iii) transferability of credit for prior learning between institutions;

176 (iv) transcription of credit for prior learning;

177 (v) institutional procedures for maintaining transparency and consistency in awarding  
178 credit for prior learning;

179 (vi) communication to faculty, advisors, current students, and prospective students  
180 regarding standards and cost related to credit for prior learning and prior learning assessments;

181 (vii) required training of faculty and advisors on prior learning assessment standards  
182 and processes; and

183 (viii) portfolio-specific prior learning assessments.

184 (b) The board shall ensure that accepted forms of prior learning assessments described  
185 in Subsection (3)(a) include at least the following:

186 (i) program evaluations, completed by an institution, of noncollegiate programs or  
187 training courses to recognize proficiencies;

(ii) nationally recognized, standardized examinations, including:

(A) Advanced Placement examinations;

(B) College Level Exam Program general examinations;

(C) College Level Exam Program subject examinations; and

(D) DANTES Subject Standardized Tests;

(iii) customized examinations offered by an institution to verify an individual's learning achievement that may include course final examinations or other examinations that assess general disciplinary knowledge or skill;

(iv) evaluations of corporate or military training; and

(v) assessments of individuals' portfolios.

(4) (a) The board shall establish minimum scores and maximum credit for each standardized examination described in Subsection (3)(b)(ii).

(b) An institution shall award credit to a student who demonstrates competency by passing a standardized examination described in Subsection (3)(b)(ii) unless the award of credit duplicates credit already awarded.

(5) The board shall:

(a) create and maintain a website that provides systemwide and institutional information on prior learning assessments and credit for prior learning; and

(b) identify a software or data tool that will support the board in:

(i) implementing the plan described in Subsection (2); and

(ii) fulfilling the board's requirements described in Section 53B-16-105.

(6) On or before the November 2019 interim meeting, the board shall report to the Education Interim Committee on:

(a) the plan described in Subsection (2);

(b) the policies described in Subsection (3); and

(c) the software or data tool described in Subsection (5).

(7) On or before May 1, 2020, an institution shall report to the board:

(a) steps the institution will take to:

(i) implement the plan described in Subsection (2) and the policies described in Subsection (3); and

(ii) communicate to students about credit for prior learning, including about the

- 219 policies described in Subsection (3);  
220 (b) a timeline for the steps described in Subsection (7)(a); and  
221 (c) each form of prior learning assessment for which the institution provides credit for  
222 prior learning that is not described in Subsection (3)(b).  
223 (8) An institution shall annually report to the board on:  
224 (a) each form of prior learning assessment for which the institution provides credit for  
225 prior learning; and  
226 (b) the total amount of credit for prior learning the institution provides to students.